

WAWD - Praeipce (Revised 2/13/13)

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

Yolany PADILLA, et al.,
Plaintiff(s),

v.

U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT, et al.,
Defendant(s).

Case No. 2:18-cv-0928-MJP

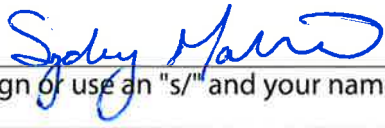
PRAECIPE

TO THE CLERK OF THE ABOVE-ENTITLED COURT:
You will please:

replace the previously filed ECF No. 42, Declaration of Kathrine Russell in support of Plaintiffs' Amended Motion for Class Certification, with the attached declaration, which has a corrected signature page.

09/26/2018

Dated


Sign or use an "s/" and your name

Sydney Maltese
paralegal to Matt Adams
NORTHWEST IMMIGRANT RIGHTS PROJECT
615 Second Avenue, Suite 400
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Telephone: (206) 957-8611

Name, Address, and Phone Number of Counsel or Pro Se

PRAECIPE

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

Yolany PADILLA, *et al.*,

Plaintiffs,

v.

U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT, *et al.*,

Defendants.

Case No. 18-cv-0928 MJP

**DECLARATION OF KATHRINE
RUSSELL
IN SUPPORT OF PLAINTIFFS'
AMENDED
MOTION FOR CLASS
CERTIFICATION**

I, Kathrine Russell, hereby declare:

1. I am an attorney licensed to practice law in Texas. My business address is 802 Kentucky Ave, San Antonio, TX 78201.
2. I have been practicing immigration law since 2009, and I am currently a staff attorney at Refugee and Immigrant Center for Education and Services (RAICES) in San Antonio, TX. My practice primarily involves representing detained adults in removal proceedings. I represent individuals before the San Antonio and Pearsall immigration courts.
3. My colleagues and I regularly represent people who have expressed a fear of return to their country of origins or an intention to apply for asylum to officials in the Department of Homeland Security. In my experience, the Asylum Office routinely fails to conduct a credible fear interview within 10 days after my clients have requested asylum or expressed a fear of return. Almost always, my clients must wait at least three

1 weeks for the interview to take place. In one case, my client waited for more than two
2 months before the Asylum Office conducted a credible fear interview.

3 4. I represent detained clients whom an asylum officer has determined have a credible
4 fear of return to their country of origin, who initially entered the country without
5 inspection, and who are eligible for release from immigration custody. I estimate that
6 my colleagues and I represent at least two such clients in bond hearings each month at
7 the South Texas Detention Complex in Pearsall, TX.

9 5. These clients who request bond hearings after a positive credible fear determination
10 regularly wait more than 7 days, and sometimes up to six weeks, for a bond hearing.
11 Represented clients can sometimes make motions to advance these hearings through
12 counsel, but pro se clients generally must wait until their originally scheduled dates.

13 6. None of our clients receive written bond decisions from immigration judges with
14 particularized findings unless they file an appeal with the Board of Immigration
15 Appeals. When the immigration judge issues a decision in these cases, it is on a
16 Custody Order of the Immigration Judge form. When an appeal is filed, if the hearing
17 was not recorded, there is no written transcript to consult.

19 I declare under penalty of perjury of the laws of the State of Texas and the United States
20 that the foregoing is true and correct to the best of my knowledge and belief. Executed the
21 6th day of September 2018 in San Antonio, Texas.

22
23 By:


Kathrine Russell

CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2018, I filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties shall be served in accordance with the Federal Rules of Civil Procedure.

DATED this 26th day of September, 2018.



Sydney Maltese

paralegal to Matt Adams

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